



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 20, 2022

BY ECF

The Honorable J. Paul Oetken
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: ***United States v. Andre Barnes, a/k/a "Lotty," 22 Cr. 43 (JPO)***

Dear Judge Oetken:

The Government respectfully submits this letter, with the consent of the defense, to request that the upcoming status conference in this case, currently scheduled for September 21, 2022, be adjourned to November 10, 2022. The Government has produced discovery to the defense, including, among other things, surveillance video, electronically stored information, telecommunication records, forensic documents, and law enforcement reports. The defense is reviewing the discovery, and the Government is available to answer questions regarding it. Additionally, the parties have begun discussing potential resolutions of the case prior to trial, but those discussions are not complete. The parties are requesting the adjournment to allow the defense to continue reviewing discovery and to allow the parties to continue discussions concerning a resolution of the case without trial.

Because the parties are discussing potential resolutions of this case, and because the defense is reviewing the discovery to determine, among other things, what motions, if any, they will file, the Government requests that the time between the date of this letter and the next scheduled conference date be prospectively excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in the interest of justice.

Granted. The September 21, 2022 pretrial conference is adjourned to November 10, 2022, at 10:30 am. The Court hereby excludes time through November 10, 2022, under the Speedy Trial Act, 18 USC 3161(h)(7)(A), finding that the ends of justice outweigh the interests of the public and the defendant in a speedy trial.

So ordered:
9/20/2022

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/
Christopher Brumwell
Assistant United States Attorney
212-637-2477


J. PAUL OETKEN
United States District Judge